

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

MARK S. CHERRY, ESQUIRE
385 KINGS HIGHWAY NORTH
SUITE 101
CHERRY HILL, NJ 08034
PHONE: (856) 667-1234

GLADYS MONTALVO

Case No.: 24-10726

Chapter: 13

Hearing Date: 2-14-24

Judge: KAPLAN

**NOTICE OF MOTION TO ALLOW POWER OF ATTORNEY
NANCY TESALONA APPEAR ON BEHALF OF DEBTOR**

MARK S. CHERRY, ESQ., attorney for Debtor, has filed papers with the court requesting Power of Attorney, Nancy Tesalona appear on behalf of Debtor..

YOUR RIGHTS MAY BE AFFECTED. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one).

If you do not want the court to grant this motion, or if you want the court to consider your views, you or your attorney must file with the clerk at the address listed below, a written response explaining your position no later than 7 days prior to the hearing date.

Hearing Date: February 28, 2024

Hearing Time: 9:00 A.M.

Hearing Location: 402 E. State Street, Trenton, NJ 08608

If you mail your response to the clerk for filing, you must mail it early enough so the court will receive it on or before 7 days prior to the hearing date.

You must also mail a copy of your response to:

*MARK S. CHERRY, ESQUIRE, 385 NORTH KINGS HWY. SUITE 101,
CHERRY HILL, NJ 08034*

*CLERK, US. BANKRUPTCY COURT, 402 E. STATE STREET, TRENTON,
NJ 08608*

ALBERT RUSSO, TRUSTEE,,CN 4853, TRENTON, NJ 08650

If you, or your attorney, do not take the steps outlined above, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Date: 2-11-2024

/s/ Mark S. Cherry, Esq.
Signature of Attorney for Debtor

UNITED STATES BANKRUPTCY COURT Document Page 3 of 8
DISTRICT OF NEW JERSEY

MARK S. CHERRY, ESQUIRE
385 NORTH KINGS HIGHWAY
SUITE 101
CHERRY HILL, NJ 08034
(856) 667-1234

In Re:

GLADYS MONTALVO

Case No.: 24-10726

Chapter: 7

Hearing Date: 2-28-24

Judge: KAPLAN

CERTIFICATION OF DEBTOR(S)

I, Nancy Tesalona, Power of Attorney for Gladys Montalvo, debtor in this case, submit this Certification in support of the Motion to Allow me to appear on behalf of my mother, Gladys Montalvo.

1. As I am the daughter and Power of Attorney for Debtor, Gladys Montalvo, I am fully familiar with the facts set forth below.

2. My mother, Debtor, Gladys Montalvo executed a Power of Attorney on January 18, 2024. See Power of Attorney attached hereto as Exhibit A.

3. We filed for a Chapter 13 bankruptcy on January 26, 2024.

4. Gladys Montalvo is unable to make legal decisions and/or attend any hearings as she is an inpatient at Excelcare facility.

5. It is respectfully requested that Nancy Tesalona, daughter and Power of Attorney for Debtor, Gladys Montalvo, be permitted to appear on Debtor's behalf for the bankruptcy at hand.

I certify under penalty of perjury that the above is true and correct to the best of my knowledge.

Date: 2-11-24

/s/ Nancy Testalona, Power of Attorney for Debtor
Signature of the Debtor

UNITED STATES BANKRUPTCY COURT Document Page 5 of 8
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

MARK S. CHERRY, ESQUIRE
385 NORTH KINGS HIGHWAY, SUITE 101
CHERRY HILL, NJ 08034
(856) 667-1234

In Re:
GLADYS MONTALVO

Case No.: 24-10724

Chapter: 13

Hearing Date: 2-28-24

Judge: KAPLAN

STATEMENT AS TO WHY NO BRIEF IS NECESSARY

In accordance with D.N.J. LBR 9013-1(a)(3), it is respectfully submitted that no brief is necessary in the Court's consideration of this motion, as it does not involve complex issues of law.

Date: 2-11-2024

]

/s/ Mark S. Cherry, Esq.
Attorney for the Debtor

Caption in Compliance with D.N.J. LBR 9004-1(b)

MARK S. STUART, ESQUIRE
385 NORTH KINGS HIGHWAY
SUITE 101
CHERRY HILL, NJ 08034
PHONE: (856) 6667-1234

Case No.: 24-10724

Chapter: 13

Hearing Date: 2-28-24

Judge: KAPLAN

In re:

GLADYS MONTALVO

CERTIFICATION OF SERVICE

1. I, Mark S. Cherry:

☒ represent, Nancy Tesalona, Power of Attorney for Debtor, Gladys Montalvo in this matter.

☐ am the secretary/paralegal for MARK S. CHERRY, ESQUIRE, who represents the DEBTOR, in this matter.

☐ am the _____ in this case and am representing myself.

2. On February 11, 2024, I sent a copy of the following pleadings and/or documents to the parties listed in the chart below.]

☒ Notice of Motion

☒ Certification in Support of Motion.

☒ Statement as to Why No Brief is Necessary

☒ Proposed Order.

☐ Other

3. I certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Date: 2-11-2024

/s/ Mark S. Cherry

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
<p><i>Clerk of United States Bankruptcy Court, 402 E. State Street Trenton, NJ</i></p>	<p><i>Clerk</i></p>	<p> <input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/Return receipt requested <input checked="" type="checkbox"/> Other ECF FILING (As authorized by the court or rule. Cite the rule if applicable.) </p>
<p><i>Albert Russo, Trustee CN 4853 Trenton, NJ 08650</i></p>	<p><i>Trustee</i></p>	<p> <input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/Return receipt requested <input checked="" type="checkbox"/> Other ECF FILING (As authorized by the court or rule. Cite the rule if applicable.) </p>
<p><i>NewRez c/o PHH Mortgage P. O. Box 24738 West Palm Beach, FL 33416</i></p>	<p><i>Creditor</i></p>	<p> <input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/Return receipt requested <input checked="" type="checkbox"/> Other CF FILING (As authorized by the court or rule. Cite the rule if applicable.) </p>

<p><i>Christine Brown, Esquire</i> <i>Stern & Eisenberg, PC</i> <i>1040 North Kings Highway</i> <i>Suite 407</i> <i>Cherry Hill, NJ 08034</i></p>	<p><i>Attorney for Creditor, PHH/NewRez/Deutsch Bank</i></p>	<p><input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/ Return receipt requested <input checked="" type="checkbox"/> Other ECF FILING and email</p>
<p><i>PNC Bank</i> <i>2730 Liberty Avenue</i> <i>Pittsburgh, PA 15222</i></p>	<p><i>Creditor</i></p>	<p><input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/ Return receipt requested <input checked="" type="checkbox"/> Other ECF FILING</p>
<p><i>Denise Carlon, Esquire</i> <i>KML Law Group, PC</i> <i>701 Market Street, Suite 5000</i> <i>Philadelphia, PA 19106</i></p>	<p><i>Attorney for Creditor, PNC Bank</i></p>	<p><input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/ Return receipt requested <input checked="" type="checkbox"/> Other ECF FILING</p>
<p><i>Aleisha C. Jennings, Esquire</i> <i>Rbertson, Anschutz, et al</i> <i>13010 Morris Road, Suite 450</i> <i>Alpharetta, GA 30004</i></p>	<p><i>Attorney for Creditor, Deutsch Bank Trust Company</i></p>	<p><input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/ Return receipt requested <input checked="" type="checkbox"/> Other ECF FILING</p>
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